



MONTHLY HIGHLIGHTS

**NOAA
NATIONAL MARINE FISHERIES SERVICE
NORTHEAST REGION
HABITAT CONSERVATION DIVISION**

JUNE - JULY 2000

GLOUCESTER, MA OFFICE, ONE BLACKBURN DRIVE, GLOUCESTER, MA 01930

ESSENTIAL FISH HABITAT (EFH) GENERAL CONCURRENCE

An EFH General Concurrence is being drafted for the Army Corps of Engineers (ACOE) Philadelphia District. The General Concurrence will cover those Nationwide Permit actions routinely authorized under Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act which will have no more than minimal adverse effects on EFH either individually or cumulatively. General Concurrence activities will be placed into two categories; those that do not require any further EFH consultation and those that require a case-by-case review by NMFS. The General Concurrence is a direct result of the Philadelphia District adopting Regional Conditions to the Nationwide Permits that are more restrictive than the national thresholds. As part of the development of this General Concurrence, NMFS will be coordinating with the New England and Mid Atlantic Fishery Management Councils through their Habitat Committees. Public review will also be accomplished during those meetings. Presentations to both Councils are anticipated to be conducted this fall. (Lou Chiarella, 978/ 281-9277; Lou.Chiarella@noaa.gov)

NEFMC ADVANCES DEVELOPMENT OF HABITAT RESEARCH AREAS AND ADOPTS A PROCESS FOR HAPC PROPOSALS

The New England Fishery Management Council (NEFMC) moved a number of habitat related issues forward at its June 14-15 meeting in Portsmouth, NH. The NEFMC agreed to develop an amendment and environmental impact statement for the designation of up to three habitat research areas, with not more than one area in each of the three major eco-regions (Gulf of Maine, Georges Bank, and Southern New England). The NEFMC also adopted a process for the proposal of Habitat Areas of Particular Concern (HAPC). The process would include an annual request for proposals distributed by the Council, and the requirement that each proposal meet more than one of the four criteria required by NMFS. NMFS requires that HAPCs meet at least one of the following criteria: 1) habitat is rare; 2) habitat is ecologically important; 3) habitat is susceptible to anthropogenic impacts; or 4) habitat is threatened by development activities. Other habitat related activities under consideration by the council include proposal of a juvenile cod HAPC for inshore Gulf of Maine waters, and integration of habitat concerns into the development of Amendment 10 for Sea Scallops and Amendment 13 for Groundfish. (Dianne Stephan, 978/ 281-9397; Dianne.Stephan@NOAA.gov)

ASMFC APPROVES GUIDANCE FOR MITIGATING FISHING GEAR IMPACTS TO SAV

The Atlantic States Marine Fisheries Commission (ASMFC) adopted guidelines for evaluating fishing gear impacts to Submerged Aquatic Vegetation (SAV), and determining mitigation strategies, at its February 9th meeting. A suite of implementation strategies for the guidance document were adopted at the Commission's May meeting; and specific implementation strategies are currently under consideration. The Commission is accepting public comment on these strategies through September 1 and will further discuss implementation at

its annual meeting the week of October 15th. Both the guidance document and a discussion of the implementation strategies are available at the Commission website <http://www.asmfmc.org>, or can be obtained from the Commission office by calling 202/289-6400. (**Dianne Stephan, 978/ 281-9397; Dianne.Stephan@NOAA.gov**)

ENVIRONMENTALISTS CHALLENGE SCALLOP FISHING IN CLOSED AREAS Conservation Law Foundation and American Oceans Campaign have filed suit against the NMFS regarding the pending scallop fishing access to areas which have been closed to fishing for the last five years. In a January action, the NEFMC approved access to Closed Areas I and II and the Nantucket Light Ship Closed Area, which were all being managed to protect groundfish stocks. Among other things, the plaintiffs allege that the environmental analysis for habitat impacts supporting the decision to re-open the areas was insufficient. Scallop fishing has already commenced in Closed Area II, and the plaintiffs are seeking an injunction to prevent other openings until the suit is settled. (**Dianne Stephan, 978/ 281-9397; Dianne.Stephan@NOAA.gov**)

NEFMC EFH TECHNICAL TEAM CONSIDERS HABITAT IMPLICATIONS OF A SCALLOP ROTATIONAL HARVEST MANAGEMENT SYSTEM, AND DEVELOPMENT OF A NEW GROUNDFISH AMENDMENT

The Technical Team has spent significant time during the last three months working on habitat issues related to development of Amendment 10 to the Scallop FMP and Amendment 13 to the Multi-species (groundfish) FMP. The Council's Scallop Committee is developing a rotational area management system for scallops, which would consist of areas that are either open or closed to scallop fishing. Most closed areas would be maintained because of an abundance of small scallops, and would be re-opened once productivity was optimized; however, the Scallop and Habitat Committees have agreed that areas with sensitive habitat could be excluded from the management system altogether. Descriptions and/or boundaries of "sensitive" habitat have not yet been defined.

For Amendment 13, the Technical Team has been reviewing closed areas under the Multispecies FMP, and considering alternatives. (**Dianne Stephan, 978/ 281-9397; Dianne.Stephan@NOAA.gov**)

NARRAGUAGUS RIVER DREDGING

The ACOE, at the request of the town of Milbridge, Maine, is planning maintenance dredging of the federal navigation project in the Narraguagus River. The channel and anchorages were last dredged in the mid-1960s and parts have silted in so badly that the Milbridge fishing fleet cannot transit the channel during low tides. The Narraguagus is one of the eight rivers in Maine that hosts the distinct population segment of Atlantic salmon proposed for listing under the Endangered Species Act (ESA). It is also the site of much of the NEFSC's salmon tracking and population studies. It seems the dredging may actually be a benefit to smolts. The deeper water and better defined channel may improve the rate they pass through the estuary and may improve predator avoidance. On the other side of the equation, the river is known to have rich eelgrass beds. In a remarkable display of interagency cooperation, NMFS and EPA staff conducted dive surveys of the federal navigation project, while ACOE staff took sediment grabs. We found that little of the eelgrass resource is in the area to be dredged. Some mussel beds will be affected, but most of the bottom appears to be soft mud with little apparent epifauna. We'll be recommending a time of year restriction to avoid anadromous fish impacts. (**Dan Morris, 978/ 281-9237**)

COAST SURVEY AND EFH

HCD Chief and staff met this month with the Chief of the National Ocean Service (NOS) Hydrographic Surveys Division, the Senior Cartographer of NOAA, and other Coast Survey staff to discuss the possibility of using hydrographic data in EFH applications. NOS has three ships and contracts for others to conduct hydrographic surveys for nautical charting. Over the last two or three years, these survey vessels have shifted their operations from paper trace mosaics to digital data logging. This has made the data far more transferable and presentable for other applications. Though the cartographers only need a small percentage of the data to discern gross bottom features and least depths, we can blow up the picture and look at micro-relief features.

Also, in the past all of the noise and backscatter from the diffusion of the sonic signal would have been tuned out to render a nice clear depiction of least depths. Now, in the digital age, that noise and backscatter can be analyzed to provide detailed information about the substrate. This technology may assist in our improving the EFH designations, or it may improve our project review by helping to identify features that potentially will be impacted by the activity. All HCD staff are encouraged to propose a pilot project as a means of initiating this technology transfer and intra-NOAA partnership. **(Dan Morris, 978/ 281-9237)**

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HACKENSACK MEADOWLANDS

SPECIAL AREA MANAGEMENT PLAN (SAMP)

The SAMP Environmental Impact Statement (EIS) Subcommittee meetings remain suspended.

To ensure the NOAA's outstanding concerns are resolved prior to the issuance of the final EIS, Habitat Conservation Division (HCD) and NOS prepared a joint letter to EPA and the ACOE outlining the issues of concern and requesting a meeting of the SAMP Principals. Our concerns focus on changes to the SAMP since the issuance of the Federal Register Notice in April 1999 including development needs, exceptions to the fill cap, the elimination of the pilot program to direct growth out of the district and the elimination of environmental assessment and linkage fees in the Environmental Improvement Program. Also of concern is biological monitoring and the adequacy of the NEPA process. The ACOE is in the process of scheduling a Principals meeting for some time in August. **(Karen Greene, 732/ 872-3023 or Stan Gorski, 732/ 872-3037)**

MEADOWLANDS INTERAGENCY MITIGATION ADVISORY COMMITTEE (MIMAC)

This month's meeting of the MIMAC included visits to several of HMDC's wetlands mitigation sites including Harrier Meadows, Mill Creek and Skeetkill. The wetlands restoration and enhancements on the site are progressing well, and the sites are being used by wildlife. The committee also discussed the revised Indicator Value Assessment (IVA) calculations for the Empire/Mills site. The new IVA values assume that credit will be given for all of the remaining wetlands on the site and that the mitigation will be immediately successful (no lag time). These assumptions are not valid and additional modifications will need to be made. The MIMAC agrees that no mitigation credit should be given for the freshwater wetlands "mitigation" area as it will act only as a stormwater management facility and have limited fish and wildlife value. In addition, this freshwater area will be impacted by the runoff from the entire mall/office/hotel complex as well as runoff from the surrounding off-site areas. The EIS for the Mill project will be issued by July 28th. Additional MIMAC discussion is needed before the close of the comment period on September 11, 2000. **(Karen Greene, 732/ 872-3023)**

RESIDENTIAL DOCKS IN SHELLFISH BEDS

Last year, the State of New Jersey adopted the so-call "in-fill" rule which allows docks to be built in commercially and recreationally harvestable shellfish beds if other docks are within three hundred feet. This month, HCD reviewed the first Department of the Army permit application for a dock approved by the state under this in-fill rule. The applicant proposed to construct a pier assembly and boat lift and to install pilings in the Navesink River in Fair Haven, Monmouth County, New Jersey. Shellfish mapping by the state indicated that commercially harvestable levels of hard and soft clams are present on the site. We have recommended that the permit for the project be denied in accordance with our Section 404 Memorandum of Agreement with the Department of the Army. Our recommendation was based upon the ecological damage docks, particularly those made with CCA treated lumber, and boats have on shellfish, as well as the fish including winter flounder which forage on shellfish and other benthic organisms. **(Karen Greene, 732/ 872-3023)**

DELAWARE BASIN FISHERIES

The Delaware Basin Fisheries Technical Committee met in Hancock, New York on July 26 and 27. The Fish

and Wildlife Service agreed to advertise a vacancy announcement for the Basin Coordinator, which has gone unfilled for approximately two years. The vacancy announcement closes on August 14. Other issues discussed include the American shad population estimate study scheduled for spring, 2001, a growing occurrence of the epizootic *Flexibacter columnaris* on some basin fish, a reported overabundance of striped bass in the upper basin that are preying on native populations of salmonids, and the proposed relicensing of the Salem Nuclear Generating Station. **(Stan Gorski, 732/ 872-3037)**

HARBOR NAVIGATION STUDY

HCD and Northeast Fisheries Science Center staff from Sandy Hook met with the ACOE, and staff from the New Jersey Department of Environmental Protection to discuss biological monitoring for the New York New Jersey Harbor Navigation Study. At previous interagency meetings, we have requested additional harborwide sampling to improve identification of habitat important for winter flounder and striped bass. The ACOE has agreed to conduct additional sampling that will initially focus on winter flounder eggs and larvae. Future sampling will target striped bass. **(Mike Ludwig, 203/ 579-7094 or Karen Greene, 732/ 872-3023)**

TOSCO REFINERY

Habitat staff has reviewed the Draft Aquatic Biota Sampling Plan, June 2000 for the Tosco Trainer Refinery and the first sampling that was conducted in May 2000 by Roy F. Weston, Inc.. The aquatic biota sampling plan results will be used in the Environmental Assessment for the project which would fill 34 acres of Delaware River tidal mud flats and shallow water habitat with dredged material from Tosco's refinery berthing areas and create tidal wetlands. We are very concerned about the inadequacy of the data that would result from the plan as designed. If the plan is not modified, the objectives of the aquatic biotic assessment will not be met and there will be little basis for making a determination regarding the effects of the project on fisheries resources. Our detailed comments were submitted to the ACOE to bring to a July 11, 2000 meeting for discussion. **(Anita Riportella, 732/ 872-3116; anita.riportella@noaa.gov)**

CITY OF GLOUCESTER

The city of Gloucester, New Jersey has proposed the construction of marina facilities and fishing piers and to perform bank stabilization at Proprietor's Park on the Delaware River in Gloucester, Camden County, NJ. Included in the marina construction is a boat ramp, timber pier with attached floating docks, a fixed timber breakwater and a concrete decked fishing pier with a timber sun screen shelter. Also, dredging 36,000 square feet of the marina area and rip-rap bank stabilization below the high tide for 300 feet of shoreline would be performed. Our comments to the ACOE recommend that the timber docks be limited to 8 feet wide, that the width of the fishing pier be decreased, the sun screen shelter be deleted, and the decking be timber instead of concrete so sunlight can penetrate; or that the permit be denied. **(Anita Riportella, 732/ 872-3116; anita.riportella@noaa.gov)**

WEST DEPTFORD

West Deptford Township proposes to construct a public marina on the Delaware River in Deptford Township, Gloucester County, NJ. The marina would provide mooring for 288 boats, a public fishing pier, a boat launching ramp, a boat lift pier, and a fueling and sanitary pump-out facility. The marina would not require any dredging and would be located in an existing man-made basin on the Delaware River. Our recommendations include that pier widths traversing wetlands be limited to four feet and pier widths over water be limited to 8 feet with adequate spacing between planking; and that alternatives for the placement of a public walkway and a water quality basin be investigated rather than filling wetlands. The marina is part of a larger project known as Riverwinds at West Deptford which includes a community center, recreational fields, ice skating rink, roller skating rink, indoor soccer facility, golf course, restaurants, hotel and conference center, commercial/office space and additional acreage set aside as Green Acres Open Space. The larger project adds to the potential to degrade water quality and degrade habitat value within the basin and the Delaware River. We have recommended that the ACOE suspend permit review until the outstanding issues are resolved, or that the permit be denied. **(Anita Riportella, 732/ 872-3116; anita.riportella@noaa.gov)**

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RHODE ISLAND MARINA EXPANSION PLAN

Milford Staff reviewed a revised, conceptual marina expansion plan for the Greenwich Bay Marina (GBM) in Apponaug Cove, RI. The plan describes easterly expansion of the existing marina through the construction of an estimated 1060 linear feet of concrete wave attenuator or wave fence and installation of floating docks to provide 257 additional slips (approximately 7.0 acre expansion). As proposed, the structures would extend over 1000 linear feet waterward of the existing bulkhead. The NMFS continues to recommend that the expansion of the GBM complex be denied on the basis that the project is “contrary to the public interest” because: 1) there is not an outstanding public need or adequate justification for the proposed expansion, 2) the project has the potential to result in adverse environmental impacts which are likely to result in degradation of the value of the aquatic environment for future public use, and 3) there are reasonable and practicable alternatives with less impact to the aquatic environment. (Cori M. Rose, 203/ 579-7004; Cori.M.Rose@noaa.gov)

HOUSATONIC RIVER POWER PLANT

Milford staff is reviewing an application for a 4.68 million gallon per day cooling water withdrawal from the Housatonic River in association with a new Milford Power Plant. The NMFS has identified that some estuarine resources, in particular bluefish, Atlantic menhaden, white perch, summer flounder, bay anchovy, winter flounder, windowpane flounder, American shad, tautog, alewife, blueback herring and striped bass could be adversely impacted by construction of the intake. The early life stages of these species, due to their small size and limited swimming ability, are especially vulnerable and could be entrained into the cooling water system or entrapped on the intake screens. Staff is also assessing the potential for impact to instream flows, riverine circulation, and water quality. However, it is expected that through a combination of mitigation measures, measurable impact to the aquatic environment from the proposed facility can be avoided or minimized to the greatest extent practicable. Ichthyoplankton surveys and review of the intake design are ongoing. (Cori M. Rose, 203/ 579-7004; Cori.M.Rose@noaa.gov)

CONSOLIDATED EDISON PROJECT REVIEW COMPLETED

Milford staff recently completed review of a significant construction project proposed by Consolidated Edison at their Hudson Avenue Generating Station, Brooklyn, New York. NMFS had opposed permit issuance for the original project design, which would have entailed filling nearly 20,000 square feet of intertidal and subtidal habitat in the East River without compensation. The project proponents were responsive to our stated concerns and have since revised the project significantly. The footprint of fill is substantially less than originally proposed and will occur only within part of the footprint of an existing relieving platform. Based on the site conditions and data from research projects conducted elsewhere in the New York Metropolitan Area, it was our assessment that the habitat values in the area that would be filled in the revised design was of low value to species of concern, so that some fill would be acceptable. In addition, the applicants will be mitigating the fill partially on-site by demolishing an existing relieving platform to create or restore over 9,000 square feet of littoral zone and open water and off-site by conducting a sand-shoal restoration project at the Drier-Offerman Park, Brooklyn, New York. We have agreed to withdraw our objections to project authorization provided the revised design becomes the final project plan. This revised project meets our objectives under the Essential Fish Habitat mandates and other pertinent authorities. (Diane Rusanowsky, 203/ 579-7004; Diane.Rusanowsky@noaa.gov)

CONNECTICUT RIVER RESTORATION ACTIVITIES

The NMFS is a cooperating partner with the Massachusetts Division of Fish and Wildlife, U.S. Fish and Wildlife Service, New Hampshire Division of Fish and Game, and non-profit organizations to provide for the removal of a dam on the Ashuelot River in New Hampshire, and the construction of a fish bypass on the Sawmill River in Massachusetts. The restoration activities above will provide access to high quality spawning

and nursery habitat for anadromous fish such as the Atlantic salmon. It is anticipated that NMFS partnership funding will be provided through the NOAA Restoration Center and Fish America Foundation. Both projects are scheduled to commence in the late-summer and early-fall of 2000. (**Cori M. Rose, 203/ 579-7004; Cori.M.Rose@noaa.gov**)

HUDSON RIVER PARK PROJECT

The District Engineer for New York District, ACOE finalized his decision about the subject project, which HCD staff have been working on for the past several years. The District Engineer determined that the project could be permitted subject to a number of special conditions, including those negotiated with the federal resource agencies. The HCD expects to receive a copy of the full permit and statement of findings in the coming weeks. During the review for this project a number of issues, including potential impacts to protected resources, EFH and other resources of concern, were discussed at length among the project proponents, regulatory and resource agencies. These discussions and negotiations resulted in a variety of changes in the project design and certain special conditions that were incorporated into the permit. We have every expectation that construction activities for the initial in-water project segment will begin shortly after the permit is signed or after the OPSAIL2000 events are completed as is best practicable. The HCD continues to receive regular requests for information about this project and our involvement in it despite the permit having been issued. It remains to be seen whether the permit will be challenged in court, as had been threatened by parties on both sides of the issue: some opposed permit issuance for a project of the proposed scope and magnitude and others were concerned the permit conditions were too restrictive. (**Diane Rusanowsky or Michael Ludwig, 203/ 579-7004; Diane.Rusanowsky@noaa.gov; Michael.Ludwig@noaa.gov**)

DARIEN NAVIGATION PROJECT

HCD staff reviewed a proposal from the Town of Darien, Connecticut, to increase the depth of the main, 50 foot wide by 2300 foot long, local navigation channel in the Goodwives River (aka Darien River) by dredging to a depth of 9 feet below mean low water (MLW). Approximately 14,300 cubic yards (CY) of silty-sand is proposed to be removed from an approximately 2.8 acre area. The NMFS is concerned because depths within the estuary average approximately 6.5 feet MLW, while depths within the river proper are predominantly shallow, averaging two to three feet below MLW. Our evaluation of early coastal navigation charts indicate that controlling depths within the Darien River have not changed significantly since initial surveys in the early 1900's. Additionally, review of the application materials indicate that justification for the proposed control depth of minus 9.0 feet MLW appears to be based on the presence of a handful of deep-draft vessels in the outer harbor, as compared to the characteristic runabouts and small sailboats that are found within the river proper. Staff's preliminary conclusion is that the unnecessary encroachment into shallow water estuarine habitat will most likely result in a decline in the quality and quantity of estuarine productivity which is essential for support of offshore fishery biomass. (**Cori M. Rose, 203/ 579-7004; Cori.M.Rose@noaa.gov**)

FIRE ISLAND REFORMULATION PROJECT UPDATE

The ACOE has elected to employ a conceptual model of the issues surrounding the Reformulation of the Fire Island Inlet to Montauk Point Storm Damage Protection Project. The resource agencies met with ACOE and their consultants over a three day period to identify the resource issues and to quantify the nature and potential level of the impacts associated with the spectrum of project alternatives now being established and screened for inclusion in the reformulation effort. The initial study dates from the late 1950s. With EFH and ESA issues at the forefront of the NMFS concerns, staff were heavily involved in defining the resource impacts in the Atlantic Ocean. Since the State of New York and the ACOE have agreed that any breaches of the barrier Island will be dealt with as an "emergency," NMFS has deferred to our sister State and Federal Resource Agencies in discussions of bay-side topics. It is apparent that the key issues are similar to offshore sand mining projects and we should look at the experiences along the coastline for insights. The New York District has an extensive monitoring on-going along the New Jersey shoreline and NMFS has reiterated the importance of the information coming out of those studies. We also are looking at the nature of borrow site refilling in a number of locations along western Long Island. In particular, the Rockaway Beach area appears to have

enough monitoring of the natural refilling rate to be useful in this evaluation. (Mike Ludwig, 203/ 579-7004; Michael.Ludwig@noaa.gov)

HIGH SPEED RAIL WARRANTS CONSIDERATION OF BRIDGE REPLACEMENT

With the introduction of high speed rail service in the Washington to Boston corridor, it has become necessary to improve the infrastructure that supports the service. The replacement of the Niantic River Bridge in Waterford, Connecticut is one such example. This project is at the center of a somewhat unique situation. The NMFS has asked that the bridge replacement not change the flushing characteristics of the estuary landward of the rail bridge. Typically, we have attempted to “improve” water circulation landward of rail bridges as a method of overcoming tidal restrictions. Historically, the single largest cause of wetland isolation and alteration in Connecticut’s coastal zone was construction of the coastal rail service between New York and Westerly, Rhode Island. Constructed in the mid-1800s, bridges were typically designed without an appreciation of the needs of aquatic resources. As a result, construction of the rail line across the Niantic River is primarily on a causeway that has degraded marsh growth and resource access to those degraded wetlands. As the railroad strives to improve rail service in the corridor, resource agencies are being afforded an opportunity to reassess conditions and require improvements at these tidal restrictions. Niantic Estuary is a major spawning area that also provides important nursery areas for winter flounder. This may be associated with the protracted retention time of water within the estuary/bay complex. In this case, increasing the flushing rate by widening the entrance to the system, may prove counterproductive or even detrimental to early life stage winter flounder and several other species of fin and shellfish that use the estuary. Accordingly, we are asking that the new bridge maintain the hydraulic *status quo* at this site. (Mike Ludwig, 203/ 579-7004; Michael.Ludwig@noaa.gov)

NEW YORK HARBOR DEEPENING PLANS CONTINUE TO EVOLVE

The deepening of New York Harbor evaluation and plan design effort continues. Because the construction schedule extends well into the middle of the next decade and some reaches will require continuous work for more than half that period NMFS and the States of New York and New Jersey are attempting to develop a package of seasonal constraints, equipment selections and mitigation measures that can insure the continued well-being of the harbor’s fishery resources. To date, maintenance of water quality and protection of early life-stages of species such as American lobster, winter and summer flounder as well as striped bass and blue crabs have been the focus. However, species that have designated EFH merit consultation as do several Endangered Species that seasonally utilize the harbor system. In a continuing dialogue, the State and Federal resource agencies have met in caucus to establish species of concern, areas of concern and evaluated the tools available to us to avoid, minimize and mitigate the multi-year construction effort. Deepening of just the six mile long Kill Van Kull reach will take approximately seven years without the invocation of a seasonal constraint. Because so much of the work will require blasting, we are looking at the use of time delay fusing to minimize the impacts of the twice daily detonations. Work done in the Connecticut and Cape Fear Rivers by researchers looking to avoid fishery impacts provide some expectations that the efforts will prove fruitful. (Mike Ludwig, Diane Rusanowsky, 203/ 579-7004 or Karen Greene 732/ 872-3039; Michael.Ludwig@noaa.gov, Diane.Rusanowsky@noaa.gov, Karen.Greene@noaa.gov)

HUDSON RIVER PARK TRUST TO DEVELOP A SANCTUARY MANAGEMENT PLAN

New York’s 1998 Hudson River Park Act not only set in motion the creation of a public park on the west side of Manhattan, but also designated the water areas of the Hudson River Park as a State estuarine sanctuary. To ensure that park operation balances the aquatic resource needs with the recreational, educational and research opportunities offered by the park, the Act directs the Hudson River Park Trust to develop a comprehensive sanctuary management plan to protect aquatic habitats in the park. The Act prescribes that the management plan address conservation of marine resources and their habitats; provide for appropriate environmental education and recreation uses; and manage permissible commercial uses (including maritime and other water dependent uses). In August, the Hudson River Park Trust will meet with local, State and federal regulatory and resource agencies to discuss their draft scope of work and a background chapter for the sanctuary management plan. Public comment also will be solicited as part of the management plan development. Once developed, the

plan is subject to approval by the New York State Department of Environmental Conservation. (**Diane Rusanowsky, 203/ 579-7004; Diane.Rusanowsky@noaa.gov**)

OPSAIL2000 ACTIVITIES A MAJOR EVENT IN NEW YORK HARBOR

The public was treated to an unprecedented showing of military and other vessels as part of the Fourth of July festivities in New York Harbor. While a variety of US military aircraft flew periodically overhead, a major parade of sail featuring dozens of active military vessels from around the world and nearly 200 tall ships and historic vessels or their replicas emerged majestically from the haze off Staten Island and made their way up the Hudson River before making port in various locations in the New York Metropolitan Area. The public was disappointed in the more northerly portions of the parade route when changing tides forced most of the larger vessels to turn back down-river before reaching the George Washington Bridge. For the first time, this marine event required evaluation for Essential Fish Habitat impacts. As part of that consultation, discussions about how the potential impacts created by tens of thousands of private craft were held, resulting in final approval of mooring areas, provision of sanitary pumpout facilities and similar mitigation. (**Diane Rusanowsky, 203/ 579-7004; Diane.Rusanowsky@noaa.gov**)

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SOUTHERN WATERSHED AREA MANAGEMENT PLAN

The latest meeting of the multi-agency Technical Advisory Committee (TAC) made up of local, state, and federal resource agency, was held during July. This TAC was set up to help the local regional planning agency, which includes all the communities with the watershed which drains south away from the Chesapeake Bay, such as Virginia Beach, Norfolk, Portsmouth, Chesapeake, and Suffolk, Virginia, develop a long range plan concerning resource conservation and compensation plan. NMFS involvement centers around the Back Bay system and several anadromous fish spawning and nursery habitat areas. (**Rod Schwarm, 410/ 226-5771**)

CHINCOTEAGUE BRIDGE REPLACEMENT

The latest alternatives for this project, located in Chincoteague, Virginia, were presented during the July Virginia Department of Transportation interagency coordination meeting. The potential alternatives for this controversial project have been slightly revised. The project is highly controversial at the local level, and potential could have significant environmental impacts, as well impacts on in-town traffic, refuge traffic, historical structures, businesses, and the local electric substation. An EFH Environmental Assessment will be required for the project, and any proposed dredging will require coordination under Section 7 of the ESA. A final selection has not been made. (**Rod Schwarm, 410/ 226-5771**)

PATRICK KELLY

This project was put out on Public Notice by the ACOE during May, 2000, and we objected to the proposal by a potential elevation letter on June 19, 2000. While this proposal for a bulkhead is relatively small, it has involved an unacceptable encroachment in a tidal fringe marsh, and would have potentially been precedent setting for the remaining undeveloped shoreline extending several thousand feet to the south. As a result of agency comments and the actions of the local wetlands board, the proposal was revised. The revised bulkhead alignment would angle back the bulkhead on the north to the toe of the existing bank. This revision is an acceptable compromise. (**Rod Schwarm, 410/ 226-5771**)